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Lake Erie has the Great Lakes Warmest, Shallowest, Fishiest Waters
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June 30, 2022

To: Jodie Opie via email: opie.jodie@epa.gov
From: Sandy Bihn, Lake Erie Waterkeeper

Re: Euclid NPDES permit OH0031062 Comments

Thank you for extending the public comment period to June 30. Below are a written version of the comments presented at the hearing and additional comments on the proposed Euclid wastewater NPDES permit.

Lake Erie Waterkeeper (LEW) is a licensed member of the International Waterkeeper Alliance for drinkable fishable, swimmable waters in the Lake Erie watershed.

To add some context to this testimony, I have been working on water quality for Lake Erie since the 1990's and witnessed the harmful algae blooms in the mid 1990's as our home is on the water contiguous on the west end to Maumee Bay State Park. We built our home in 1987 when there was little algae. So something changed in the 1990's to trigger the growing harmful algae that we continue to experience today. That change was Ohio's recruitment of large dairy confined animal feeding operations in the Maumee watershed. Few of us realized that the meat and dairy industry changed from raising livestock on small farms with manure spread out on acres throughout the watershed to confining animals and putting the waste in lagoons and applying the manure as a liquid on land close to the barns. It is estimated that there has been an 80% reduction if small farms raising livestock from the 1970's to the present.

It should also be noted that the reduction in phosphorus in Lake Erie in the 1960's through today at wastewater plants is largely credited with getting rid of Lake Erie's harmful algae that resulted in what was labeled as a 'dead lake' to a healthier lake for fishing, swimming, and water treatment. Mandates for the phosphorus reductions came from the Clean Water Act, NPDES permits and the Great Lakes Water Quality Agreement nutrient reduction targets etc. Wastewater treatment plants reduced the phosphorus contribution from over 50% of the Lake Erie western Lake Erie phosphorus sources to less than 13% today.

These comments are on the NPDES permit phosphorus limitations for the Euclid wastewater plant. It is important to characterize the Euclid community which has a population of nearly 50,000 people, and according to the 2020 census a poverty rate of 20%.

So whatever mandates there are for improvements for phosphorus reductions at the wastewater treatment plant must be paid for by someone. And there should be an economic component with cost/benefit to the phosphorus reduction decision.

Given these comments, Lake Erie Waterkeeper requests the following be considered in the Euclid wastewater permit:

1. Information should have included the amount of phosphorus discharge that would be allowed to discharge under the proposed USEPA permit vs. the Ohio permit. Did not find this on any fact sheets.
2. A cost benefit analysis should have been included for both the proposed USEPA permit and the Ohio EPA permit which would have helped in preparing these comments.
3. Lake Erie Waterkeeper(LEW) supports Ohio lowering the phosphorus limit from 1.0 to .5mgl phosphorus limit for this NPDES Euclid permit. The .5mgl phosphorus limit is consistent with limits and P levels economically achievable at wastewater treatment plants. The economics and technical feasibility of a .0675mgl phosphorus is questionable. What is the amount of phosphorus that would be reduced if there were a .05mgl limit, if there were .0675 mgl?
4. Inconsistencies to P load for Lake Erie watershed NPDES permits would be eliminated if there were phosphorus standards rather than narrative standards.
5. To assist with Euclid customer Environmental Justice issues, at least 50% of the costs for improvements for phosphorus reductions for the wastewater plant should be funded by federal and state government sources.
6. It is not understood why OEPA's impaired designation for Lake Erie does not include public drinking water intake stream/lake water quality when dying algae which depletes oxygen is impacting taste and odor issues in the treated water .
7. It is troubling for Ohio EPA and USEPA to mandate this phosphorus reduction for this Euclid NPDES permit while at the same time the State of Ohio Department of Agriculture is in the process of permitting an additional 6,400 dairy cows, 16,950 hogs, and 120,000 chickens in the Lake Erie watershed. These new additional confined animal feeding operations apply untreated manure on the land that equals over 200,000 people's human sewage.

8. It is troubling that Lake Erie phosphorus reductions at wastewater plants are paid for primarily by users. It is especially troubling in a community Euclid where there are Environmental Justice issues. In the mean time Ohio and the US pay millions of dollars for Best Management Practices (BMP's) at large confined animal feeding operations along with other ag facilities with no requirements for reporting phosphorus discharges and no requirements for phosphorus reductions downstream. So USDA and Ohio have paid for phosphorus reductions with no requirements for phosphorus reduction reporting. How is it that human sewage has a stringent set of standards for treatment, while funding from USDA NRCS fand H2O Ohio program fail to have any reporting for phosphorus reductions. And the amount of livestock and manure is increasing with no assessment of phosphorus downstream(Lake Erie) impacts . It is widely known that these confined animal feeding operations(permitted and 'one unders' land apply untreated manure too close to the barns meaning excessive phosphorus applied land applied that will have runoff via field tiles and surface waters to streams and ultimately to Lake Erie.
9. If the human waste needs to be treated and have a NPDES permits, then individual NPDES should be required by USEPA and Ohio EPA for pending and renewed CAFO permits.

Thank you for this opportunity to submit these comments.